

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CRAIG GOULET

Plaintiff,

v.

NEW PENN MOTOR EXPRESS

Defendant

and

TEAMSTERS LOCAL 25

**INTERNATIONAL BROTHERHOOD OF
TEAMSTERS**

Defendant,

**CIVIL ACTION
NO. 04-12577-WGY**

EMERGENCY MOTION OF THE DEFENDANT
TEAMSTERS LOCAL UNION NO. 25 TO CONTINUE TRIAL

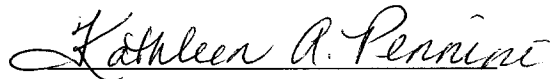
The Defendant, International Brotherhood of Teamsters, Local 25, hereby moves that the Court re-schedule the date for Trial in connection with the above-captioned action to a date after June 19, 2006. As grounds for the Motion, the Defendant states as follows:

1. The parties were notified on Monday, June 12, 2006, that the trial was scheduled by the Court to commence on Monday, June 19, 2006;
2. Counsel for the Defendant, Teamsters Local 25, Matthew E. Dwyer and Kathleen A. Pennini, are unavailable during the week of June 19, 2006;
3. Specifically, Attorney Pennini will be out-of-town on vacation for the week of June 19, 2006; These vacation plans were scheduled well in advance of the date on which the Trial was scheduled in the above-referenced matter;
4. Attorney Dwyer has an arbitration hearing and numerous collective bargaining negotiations and other meeting previously scheduled for the week of June 19, 2006; The arbitration hearing, collective bargaining negotiations, and other meetings were scheduled well in advance of the date in which the Trial was scheduled.

5. Attorney Pennini informed the other parties of her intent to file this Motion.
6. Attorney Lathrop, counsel for the Plaintiff, indicated that he does oppose this Motion.
7. Attorney Gluek, counsel for Defendant, New Penn Motor Express, Inc., indicated that he does not oppose this Motion.
8. This Motion is made in good faith and not for the purpose of delay

WHEREFORE, the Defendant, International Brotherhood of Teamsters, Local 25 respectfully moves that the Court continue the Trial in this matter to a date after June 19, 2006.

Respectfully submitted,
For the Defendant,
**INTERNATIONAL BROTHERHOOD
OF TEAMSTERS, LOCAL 25**
By its attorneys,




Matthew E. Dwyer
B.B.O. # 139840
Kathleen A. Pennini
B.B.O. # 654573
Dwyer, Duddy and Facklam, P.C.
Two Center Plaza, Suite 430
Boston, MA 02108
(617) 723-9777

CERTIFICATE OF SERVICE

I, Kathleen A. Pennini, hereby certify that I have electronically filed this motion on June 14, 2006, with electronic and hand delivery to :

Scott Lathrop, Esq.
Scott A. Lathrop & Associates
122 Old Ayer Road
Groton, MA 01450

Carl H. Gluek, Esq.
Frantz Ward, LLP
55 Public Square Building, 19th Floor
Cleveland, OH 44113-1999


Kathleen A. Pennini